

REMARKS

Claims 1-15 have been examined. Claims 1, 5 and 7 have been rejected 35 U.S.C. § 112, second paragraph, and claims 1-15 have been rejected under 35 U.S.C. § 103(a).

I. Rejections under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 1, 5 and 7 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. In particular, the Examiner maintains that the term “user” is not defined such that one of ordinary skill in the art would be apprised of the scope of the invention. On page 3 of the Office Action, the Examiner maintains that, “determining the metes and bounds of the claims are almost impossible.”

Applicant respectfully traverses the above rejection. As clearly set forth in the non-limiting embodiment on page 4, lines 3-5 of the present Application, the users and intermediate dealers are defined as the “purchasers” of the supplied products (i.e., where the specification discloses user terminals, intermediate dealer terminals and supplier terminals; Fig. 1). Further, the specification clearly states that the users and intermediate dealers are *collectively* referred to as the “users” (pg. 4, lines 3-5). The specification does not disclose that the supplier terminals are also included in the collective “user” group. Therefore, the defined “users” are those who *purchase* the products. Applicant submits that based on the disclosure provided in the specification, one skilled in the art would understand the distinction between the claimed “suppliers” and the claimed “users.”

II. Rejections under 35 U.S.C. § 103(a) in view of U.S. 2001/0056412 to Kutsuzawa et al. (“Kutsuzawa”) and U.S. 2002/0019724 to Yamamoto et al. (“Yamamoto”)

Claims 1-3, 5-8, 10-12 and 14-15 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kutsuzawa and Yamamoto.

Applicant submits that Yamamoto is not prior art against the instant invention. For example, Yamamoto was filed one month *after* the filing date of the present invention. Accordingly, Yamamoto is hereby removed from consideration.

Further, Applicant hereby removes the Kutsuzawa reference by perfecting the claim to foreign priority to JP 2000-145128. A certified English translation of JP 2000-145128 is enclosed. The filing date of Kutsuzawa (i.e., February 2, 2001) is *after* the filing date of the Applicant’s priority document JP 2000-145128 (i.e., May 17, 2000).

Since Yamamoto and Kutsuzawa are hereby removed as references, Applicant submits that the rejections of claims 1-3, 5-8, 10-12 and 14-15 are now moot.

III. Rejections under 35 U.S.C. § 103(a) in view of Kutsuzawa, Yamamoto and U.S. 6,161,099 to Harrington (“Harrington”)

The Examiner has rejected claims 4, 9 and 13 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kutsuzawa, Yamamoto and Harrington. However, since Kutsuzawa has been removed as a reference by perfecting Applicant’s claim to foreign priority, and since Yamamoto is not prior art against the instant invention, Applicant submits that the rejection of claims 4, 9 and 13 is now moot.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Allison M. Tulino
Registration No. 48,294

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

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